

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

January 6, 2015

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:01 a.m. on February 3, 2015.

(a) Commissioners present at the Commission meeting:

Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
James Jordan
Matt Mitchell
Patrick Richard
Jessica Schenck
Craig Von Meylen

Commissioners not present at the Commission meeting:
Rob Brown

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Recorder
Pamela Walters, Staff Attorney

(c) James Schmidt, Deputy Attorney General was present.

Technical difficulties with the DFBS program prevented the display of the variance applications. The Chairman announced they would move forward as best they could until such time as the program issues were resolved.

2. Old Business

Chairman Hawkins noted that on page 4, The Coil Apartments, variance 14-02-17, it should state they were proposing to sprinkle the portion of the garage with the apartments above it, and they also provide the standpipes. It also was not a proposal for a three-story separation, but was to allow a two-story townhouse in the podium. He then called for any other corrections or a motion to approve the minutes of the January 6, 2015, meeting. Commissioner Hite moved to approve as amended, with the second by Commissioner Von Deylen. It was voted upon and carried.

3. Ordinances

Building Ordinance No. 120114 Fishers, Indiana

Mark Fazel, City of Fishers Building Commissioner, introduced the ordinance. Chairman Hawkins questioned if the handrails section of the ordinance amended the current Building Code and Residential Code retroactively to handrails for steps to every building in Fishers which has four or more risers. He suggested a better definition for "code of record" to help avoid it being applied retroactively. He also questioned all of the vague language, and was told it would be corrected. He questioned the interior maintenance portion, and was told it had been removed at Mara Snyder's suggestion. Noting that the definition of "code of record" should be better-defined, Section 9 item J should reference the code of record, Section 9 item V should change "engineer" to "licensed design professional", and vague terms were to be removed, Commissioner Hoch moved to table the ordinance to allow the changes to be made, with the second by Commissioner Von Deylen. It was voted upon and carried.

4. Reconsideration of Variance 15-01-08(a) Cummins Indianapolis Distribution Headquarters

Melissa Tupper, RTM Consultants, spoke as proponent. Section 406 says you may have an open parking garage that doesn't need to be sprinklered, as well as open parking garage spaces within the building that don't need to be sprinklered. The variance had been granted based on the podium rule, but other sections of the code which has language stating it must be "sprinklered throughout" which could affect compliance with other sections of the code. Following input by Jeffery, City of Indianapolis and Christina Collester, RTM Consultants, Commissioner Von Deylen moved to approve the variance, with the second by Commissioner Hoch. It was voted upon and carried.

5. Variances

Tabled Variances

14-11-38 1445 W. Hoosier Blvd. Bathroom Remodel, Peru

No proponent had been available for questions since filing of the application. Following discussion, Commissioner Von Deylen moved to deny, with the second by Commissioner Jordan. It was voted upon and carried.

14-12-05 York Elementary School, Bristol

Jeff Palmer, Director of Facilities, spoke as proponent. He had requested the use of a magnetic plate to be placed on the strike plates to secure the doors until the plate was removed by the teacher during a lockdown situation. He noted they were putting funds into the next budget to change out the locks properly, and wished to use the plates until such time. The doors are 20-minute rated doors in a rated corridor. Following discussion of the effect of the plate upon the rating of the corridors, Commissioner Hoch moved to deny with the second by Commissioner Von Deylen. It was voted upon and carried.

14-12-28 Salt Creek Brewery Tap Room Expansion, Ellettsburg
The proponent had requested this be withdrawn.

15-01-38 Wernle Youth and Family Treatment Center Admin Building, Richmond

No proponent was present for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

15-01-18(a)(b)(c)(d)(f) Indiana State University Blumberg Hall, Terre Haute

Melissa Tupper, RTM Consultants, spoke as proponent. Noting it had been tabled due to missing signatures, she stated that the signatures had still not yet been received. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

15-01-39 Robinson Adult Day Services, Gary

Chris Robinson-Peterson, co-owner, spoke as proponent. She had been advised the existing building needed to be sprinklered. She stated there were 13 patients and 8 staff members in the 1,225 square foot, single story building with two exits. There were monitored smoke and fire detectors, and fire extinguishers. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried with one nay.

15-01-46(a)(b)(c) SJP Entertainment Skating & Bingo, Mishawaka

John Beam, architect, spoke as proponent. He distributed plans which had been requested at the last meeting. The building, a vacant bowling alley, had been purchased with the intention of converting it to a skating rink and bingo hall, with any profits made being split between children's charities. The pre-1960's building did not have a fire alarm or sprinkler system with brick walls and laminate beams. The request in (c) was to omit the sprinkler system which would be \$230,000-\$300,000 for a building purchased for \$130,000. He would install a fire alarm system with horns and strobes, two new exits, and provide 10 fire extinguishers. The building had a calculated occupant load of 800 when it's used as a skating rink and has a 1,000 occupant load, plus 12 staff, when it's being used for bingo three days per week for three hours per day. There is no alcohol being served and no live music. Variance (a) was for the toilet count, based on the bingo occupancy count, met or exceeded the code requirement. He withdrew the variance. Variance (b) was for the posting of the occupant load of 1,012. Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Hoch moved to approve based on no alcohol service and two additional exits as shown on the drawings. Commissioner Von Deylen made the second. It was voted upon and carried with one nay.

New Variances

Chairman Hawkins asked for any requests to review variance applications with an "A" or "B" recommendation from staff or abstentions. Commissioner Von Deylen made a motion to approve the remaining "A" and "B" variances. The second was made by Commissioner Jordan. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 15-02-1(a)(b)(c)(d) Country Echoes School, Napanee
- (2) 15-02-2 Mt. Olive Mennonite Church, Montgomery
- (3) 15-02-3 Seymour Christian Academy Phase I, Seymour
- (4) 15-02-4 Mississinewa High School Auxiliary Gym, Gas City
- (5) 15-02-7(a)(c) Honors College and Residences, West Lafayette
- (6) 15-02-9(c) Salle Apartments, South Bend
- (7) 15-02-13(a)(b)(c) Grissom Hall Renovation EGP 2014, West Lafayette
- (8) 15-02-15 Remodeling for Three Sisters Café, Indianapolis
- (9) 15-02-16(a) TMC Fire Alarm System Replacement, Princeton
- (10) 15-02-20 Huntingburg EMS Facility Renovation, Huntingburg
- (11) 15-02-21 Vanderburgh County Jail Electrical Room, Evansville
- (12) 15-02-22 ECHO Community Health Care, Evansville
- (13) 15-02-23 Franciscan St. Margaret Health, Hammond
- (14) 15-02-31(a)(b)(c) Elanco Animal Health Clinton Laboratories, Clinton
- (15) 15-02-32(a)(b)(c)(d) ISU Mills Hall Renovation, Terre Haute
- (16) 15-02-33(a)(b)(c) Normal Hall Renovation, Terre Haute

The following variances were heard separately:

(17) 15-02-5(a)(b)(c)(d) 747 College, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) was a request to omit the required standby power for elevators. Areas of refuge are being provided in the stairwells of the building, with no transfer switch or plug-in for the generator. Following discussion of redundant power from IPL, Von Deylen moved to approve with the condition that accommodation for temporary power is provided. Commissioner Hoch made the second. It was voted upon and carried, with one nay. Variance (b) was to permit the use of the 13R system on floors three through five and an NFPA 13 system on floors one and two. Following discussion of the hydraulics involved in the building with five floors total, Commissioner Hoch moved to approve the use of an NFPA 13 system but concealed spaces are not to be required to be sprinkled as per the requirements of a 13R system. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (c) was a request to have a two-story podium in lieu of the one-story podium allowed by code. The second floor will be of Type I-A construction to accommodate the open parking garage. The second and third floors will be separated by a horizontal three-hour separation. Questions arose concerning the separation on the second floor of the parking garage. Christina Gaster asked if they could table until after they have spoken to the architect to verify information. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried. Variance (d) was a request to design the residential portions of the building to Chapter 4 of the 2009 International Energy Conservation Code. It was suggested that the variance be tabled so that the person in charge of handling the application could be present. Commissioner Von Deylen moved to table, with the second by Commissioner Richard. It was voted upon and carried.

(18) 15-02-6 Kappa Delta Sorority House Renovation, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. An exhaust hood was being replaced with a slightly larger version in the exact same location. The request was to allow the discharge to be at 7'9" above grade as the original exhaust had been, due to existing conditions. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(19) 15-02-7(a)(d)(e) Honors College and Residences, West Lafayette

Mike Loppes, Purdue University, spoke as proponent. The request in (b) was to allow a stair to exit into a hallway in which the exit enclosure is not readily visible. The discharge door is visible within 20 feet of travel on a clear and obvious path. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was a request to allow an occupancy

load of 671 persons for the Great Hall based on concentrated assembly use. The automatic fire sprinkler design will exceed code minimums, and the exits will exceed both the minimum number and capacity. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (e) was to allow the first floor Great Hall, at 28 feet, to exceed the allowable height and area. There are three-hour horizontal and three-hour vertical separations, and the sprinkler design will exceed code minimums. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(20) 15-02-8(a)(b) Northview Elementary School, Gas City

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) is withdrawn. Variance (b) is to allow the fire wall, which separates the kitchen addition from the remainder of the building, to terminate at the roof deck of the addition. The roof of the existing building is at a higher elevation than that of the addition, and to bring the fire wall upwards to comply with code would eliminate existing clerestory windows used to bring natural light into the existing cafeteria space, and disrupt drainage. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the commission at 10:30 a.m. It was called back to order at 10:43 a.m.

(21) 15-02-8(a)(b)(d) LaSalle Apartments, South Bend

Melissa Tupper, RTM Consultants, spoke as proponent. The building was originally a hotel which closed in 1973, and is now undergoing a change of use as apartments. In variance (a) the request was to allow a 727 square foot rooftop deck for the residents to use. The deck will exit into a 2-hour stair enclosure. The building will be sprinklered with an NFPA 13 system. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to omit the sprinklers in the open parking garage, required due to the existing open stair connecting the first and second, and first and basement level. Close space sprinklers will be provided. Commissioner Furnish moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was to allow an existing 10 foot wood roof structure to remain on the 2-hour rated roof. It will be sprinklered. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(22) 15-02-10(a)(b) Monroe County Parking Garage, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. A nine-story building houses an I-3 occupancy on the first floor, with an open parking garage on the remaining floors. Due to the grade of the site, the work release program uses a half-level open stairway to reach the exit. Variance (a) is to allow the use of unprotected openings in the sprinklered stair, with 2-hour separation from the sprinklered I-3 occupancy, within the un-sprinklered parking garage. Jim Gerstbauer, Monroe County Building Official, had not seen the application, but felt that rated glass should be provided, noting that the structure was in close proximity to the sheriff department and jail. Bobby LaRue, Monroe County Building Department, also noted that when protected by sprinklers, the openings had been granted before. Following further discussion, Commissioner Hoch moved to approve with the condition that a sprinkler head be at each sidelight window and door in the I-3 stairwell. Commissioner Mitchell made the second. It was voted upon and carried. Variance (b) was to omit sprinklers in the open parking garage. The sprinklers are required due to the I-3 occupancy area. Following discussion, Commissioner Hoch moved to approve. It was seconded by Commissioner Mitchell, voted upon, and carried.

(23) 15-02-11(a)(b)(c)(d)(e)(f)(g) Bank One Garage Apartments, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. An apartment addition was being made to the Bank One garage, separated by a structurally independent three-hour fire wall. Variance (g) was to allow the lofts to be considered mezzanines instead of a story since they are over 50% of the floor area. The first floor, and the mezzanine, is in the podium, while the upper five stories are of V-A construction. A Type I-A construction, 2-story tower is also located in the podium. Jeff Dean, City of Indianapolis, requested a copy of the plans for the variance, but otherwise did not object. Following discussion, Commissioner Von Deylen moved to approve as submitted, with the second by Commissioner Jordan. It was voted upon and carried. Variance (a) was to allow the height of the building to exceed 60 feet, being 64 feet above grade of plane. Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was to use a NFPA 13 system but to not sprinkle concealed combustible spaces as per the requirements of an NFPA 13R system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (c) was to allow openings in a party wall for access from the apartments to the parking garage. These will be protected for convenience and are not required means of egress. Commissioner Richard moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (d) would allow the incoming domestic water lines to be located in the same room as the fire pump for the sprinkler system due to the small footprint of the project. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (e) was to allow a dead end corridor of 50 feet. Following discussion, Commissioner Hoch moved to deny, with the second by Commissioner von Deylen. It was voted upon and carried. Variance (f) was to omit a backup generator for elevators. An area of refuge will be provided at each upper floor

level landing in each of the two stair enclosures. Commissioner Von Deylen moved to approve if the connection for an emergency generator is provided, with the second by Commissioner Hite. It was voted upon and carried.

(24) 15-02-12 Butler University Parking Garage, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The university is building a six tier parking garage, with retail and bus parking on the first floor. The buses will trigger the requirement for the entire building to be sprinklered. The request is to allow the first floor to be sprinklered, and omit sprinklers in the remainder of the building. Margie Bovard, Indianapolis Fire Department, requested a dry standpipe. Mr. Gerdes noted there would be a dry standpipe, required by code, which was not shown on the plans. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(25) 15-02-14(a)(b) Active Learning Center, West Lafayette

David Kish, Purdue University, spoke as proponent. Variance (a) is a request to omit fire proofing on roof trusses which are over 29 feet above the floor. The trusses sit on columns which are fire proofed. The building is sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) is to allow a dead-end aisle longer than 20 feet in a space to be used as a modified classroom. The aisles are 4 feet wide, and aisle access is 3 feet wide. The room is protected by light hazard sprinklers. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(26) 15-02-16 Indiana Convention Center Tractor Rodeo, Indianapolis

Christina Collier, RTM Consultants, and Debbie Hennessy, Indiana Convention Center, spoke as proponents. These are riding and push mowers, with gas tanks holding no more than five gallons in the riding mowers. They will be fueled outside, taken off the loading dock to a tanker parked away from the building. They have been coordinating with the Indianapolis Fire Department. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(27) 15-02-17 Comlux Hangar Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Also speaking was Christina Collier, RTM Consultants. The office is protected by an NFPA 13 system. The hanger and the addition, a higher bay to accommodate aircraft with taller tail wings, are a foam suppression system. The request is to allow the two systems, similar but held to different

standards, to be used together to be able to call it a fully sprinklered building for code trade-offs and allowances. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (28) 15-02-18(a)(b) 14 West Maryland, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The first floor will remain a restaurant, a portion of the second floor will become part of the restaurant as well. The third and fourth floors will be his home. Variance (b) was to allow a rooftop terrace with its own elevator, and a restroom in the rooftop vestibule structure. The structure will be sprinklered. Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (a) was to allow existing mechanical access panels in the shaft enclosure. Following discussion, Commissioner Hoch moved to approve with the vertical shaft and stair to be sprinklered with an NFPA 13 system. It was seconded by Commissioner Von Deylen. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 11:52 a.m. for lunch. It was called back to order at 1:00 p.m.

- (29) 15-02-19 Wilkie Quad Long Renovation, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow student lounges to be open to the rated corridors. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (30) 15-02-20 Children's Park Child Care Center, Mooresville

No proponent was available for question. Darryl Brown, Mooresville Fire Department, was present and addressed the Commission regarding his concerns. Kevin Troy, Fire and Building Code Enforcement, asked if it was to be a water-based sprinkler. Discussion of the range hood over residential stoves in the facility was then held, mostly concerning IN FC 904.11.6 and the annual replacement of heads. Dave Kelley, Koorson Fire, stated the hood was not really a sprinkler head but a chemical system to be maintained per the manufacturer's instructions. Commissioner Mitchell pointed out the application did not ask for not replacing heads, and the language may not be correct for what they are wanting. Following discussion, Commissioner Jordan moved to table, with the second by Commissioner Richard. It was voted upon and carried.

- (31) 15-02-21(b) TMMI Fire Alarm System Replacement, Princeton

Annis Bradshaw, FP&C, spoke as proponent. A variance had been previously granted which allowed strobes in an addition to be mounted at a non-compliant height for improved visibility. This variance was to allow strobes to be mounted at a matching

height in a voluntary upgrade to the fire system. Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(32) 15-02-24 Casey's General Store Distribution Center, Terre Haute

Mark Riffey, Ryan Fireprotection, spoke as proponent. A 40,000 square foot shipping and receiving area in the distribution warehouse will store materials which require different types of protection. Flammable liquids and combustible materials are stored in 6,000 square foot cutoff rooms until they are gathered in trailers to be shipped. The request is to allow the use of a single sprinkler protection method, following requirements of the most restrictive design, to be used for these areas. Aerosols will be protected by ESFR sprinklers, and flammable liquids will have ESFR and in-rack sprinklers. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(33) 15-02-26 Heritage Adult Day Care, Gary

Luretha Taylor had requested the sprinkler system, required by code, be omitted. The facility has a roster of twenty clients, with an average of 14 in attendance daily. There are two staff members per client, and three exits doors from the 2,500 square foot facility. A fire alarm system is provided. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried, with one nay.

(34) 15-02-27 Tate and Lyle Company Building, Lafayette

Mark Riffey, Ryan Fireprotection, spoke as proponent. The request was to allow the fire system in the building to not be zoned by floor. A dry system is being installed for the flash over, enclosed to protect from the elements, as the structure will not be heated. Ron Rich, Lafayette Fire Department, advised the Commission he did not have any objections to the variance. Commissioner Jordan moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(35) 15-02-28 Friary Elevator, St. Francis

Staff stated private elevators were not regulated in private residences, therefore no variance was required. Following a brief discussion, Commissioner Hoch moved no variance required, with the second by Commissioner Von Deylen. It was voted upon and carried.

- (36) 15-02-30 New Albany High School Science Lab Addition, New Albany

Roger Lehman, RLehman Consulting, spoke as proponent. The school was expanding a single laboratory classroom into three labs to accommodate the expanded student population. The building is sprinklered, mostly Type II construction, there will be direct exterior access for each laboratory, and the labs would be tied into the building alarm system. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

- (37) 15-02-31(d) Elanco Animal Health Clinton Laboratories, Clinton

Cecilia Ernstes advised Chairman Hawkins that since the staff meeting, the proponent had stated they would be installing governor access for the elevator. This would have put it in a "B" category. Commissioner Furner moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

- (38) 15-02-34 Rural Health Office, Spencer

Mark Riffe, Ryan Fireprotection, spoke as proponent. The building has an open truss system which requires sprinkling the concealed spaces. Bulkheads are required every 1,000 square feet per the Building Code, but under the listing of the sprinklers being used to protect the concealed spaces. The request was to omit the bulkheads. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (39) 15-02-35 Glenwood School, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to allow the use of the "wand lock" system, a special lock which is tripped when a person wearing a trigger device comes within three feet of the lock system sensor. There is an override, and the lock falls open. The building is sprinklered. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

- (40) 15-02-36(a)(b) SMC Corporation, Noblesville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An employee had filed a complaint with the state concerning the turnstiles in the facility. They were inspected, found to be non-compliant, and were removed. The request in (a) was to allow the corridors to be 40 inches wide. Variance (b) was to relocate it next to a swinging door for emergency use. Following discussion, Commissioner Hoch moved to approve both

variances, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Mitchell abstained.

(41) 15-02-37 Think Ahead LLC, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. The break room compliant when filed, now does not comply with ADA regulations for forward approach to the stove and sink, and countertops are at 35½ inches. The owners had changed cabinets, after being assured by the distributor that they would be compliant. Following discussion in which it was noted that the variance was not to Federal ADA requirements, Commissioner Hoch moved to approve, with the second by Commissioner Hite. It was voted upon and carried, with one nay vote.

(42) 15-02-38(a)(b)(c)(d)(e)(f) Chef JJ's, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Also addressing the Commission was Jason Birk, Halstead Architects, Margie Kovard, Indianapolis Fire Department, and Shelley Walcott. Variance (a) was a request to allow 7 foot ceilings in three offices they wish to add in the existing basement. Code requires a ceiling height of 7'6". The building will be sprinklered. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was a request to allow the party wall to be structurally independent. Craig Burgess, Plan Review, advised the Commission he could release conditionally depending on the outcome of variance applications. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheuer. It was voted upon and carried. Variance (c) was to allow the exhaust vents for Type I hoods be allowed to terminate 5 feet above the roof, but four feet from the property line due to the site constrictions. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Mitchell. It was voted upon and carried. Variance (d) was a request to allow the use of a platform lift for an accessible route to the main dining floor. It will be within a hoistway enclosure. Commissioner Hite moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (e) was a request to allow a non-accessible means of egress exit due to the building being sprinklered. Following discussion, Commissioner Von Deylen moved to approve with the second by Commissioner Hoch. It was voted upon and carried. Variance (f) is to omit the party wall since the owner now holds both sides of the wall. Commissioner Von Deylen moved to approve with the condition that the variance was for this occupancy only. Commissioner Hoch made the second. It was voted upon and carried.

(43) 15-02-35(c)(d) 747 College, Indianapolis

Commissioner Von Deylen moved to un-table, with the second by Commissioner Mitchell. It was voted upon and carried. Melissa Tupper, RTM Consultants, again spoke

as proponent. Variance (c) was to allow the podium to be two stories above grade plane. The open parking garage is sprinklered, and it has a three-hour separation between the garage and apartments. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (d) was a request to design the apartment portion of the building to Chapter 4 of the 2009 Code to omit the continuous insulation. Following a brief discussion of means of compliance, the proponent requested the variance be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

6. Discussion and possible Commission action

Propane People, Inc.
Administrative Cause No. 14-23
Non-final Order of Dismissal

Commissioner Mitchell moved to affirm the Non-final Order of Dismissal, with the second by Commissioner Hoch. It was voted upon and carried.

7. Discussion and Commission action on Petitions for Review (only filed unless otherwise noted)

St. Margaret Mercy Hospital, Hammond
Order – Fire and Building Code Enforcement
Not timely filed

Alternative Two LLC, South Bend
Order – Fire and Building Code Enforcement

Commissioner Von Deylen moved to deny the petition for review which was not timely filed. Commissioner Jordan made the second. It was voted upon and carried.

Commissioner Mitchell moved to grant the timely-filed petitions for review, with the second by Commissioner Von Deylen. It was voted upon and carried.

8. Discussion of agricultural use of structures – Chairman Hawkins

Chairman Hawkins had done further research into Miller Poultry following last month's discussion of agricultural uses of structures. Miller Poultry had a proposed order from the ALJ

stating he thought they were exempt as an agricultural use. The chickens were delivered to the plant when they were dead. The Commission decided that the farming stopped when the chickens died. Miller Poultry applied for and received variances, and did not appeal the decision of the Commission. Now the issue is the presence of the public. Does farming operation cease when the public is not present? It was suggested that staff be requested to create a non-rule policy focusing on the presence of the public as an integral part of the operation for consideration.

9. Plan Review Criteria- Chairman Hawkins

Pam Walters, Legal and Code Services, presented the background of the Plan Review Criteria mandate and task force development. After several meetings, a proposed document had been agreed upon and had been submitted for consideration by the Commission. Chairman Hawkins noted that under B, "design professional" was defined as in the C.R. In the discussion of someone who meets the qualifications of design professional and those persons who do not meet the qualifications working under him, Ms. Walters had suggested changing it to "person". Staff had wanted the "person" to be a direct employee of the building department and not a third party. In the section dealing with revocations, the task force had written "the Commission" and Ms. Walters had changed it to "State Building Commissioner". The Chairman thought that the task force had chosen those words for situations such as the current condition of the state not having a State Building Commissioner. The Commission does its work in public, giving access to all. Commissioner Von Deylen suggested that the Commission be the body to deal with revocation, due to the public access. Bobby LaRue, Monroe County Building Department, also spoke, saying that giving the power of revocation, with guidance to the local officials was his intent when it was written. He also felt that third party reviewers would be a means for increasing the knowledge base of local building departments. The local departments can defer to the State, and the submitter has to file with either state or local officials. It was decided that the suggested corrections be distributed for consideration before voting on the document next month.

10. Comments - Chairman Hawkins

Noting that Fire Marshal Greeson had been in attendance earlier that morning, he asked about the condition of Dean Illingworth. Mr. Illingworth had been hospitalized, and was said to be doing well.

11. Chairman Hawkins then called for any further business. Hearing none, he then adjourned the meeting at 2:52 a.m.

APPROVED

John Hawkins, Chairman